

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

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CASE NO. 1:04-CR-10231

U.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES OF AMERICA)

V.)

PETER V. MAGGIO)

DEFENDANT PETER V. MAGGIO'S MOTION TO FILE
HIS VERSION OF THE OFFENSE AND LETTER
TO THE COURT UNDER SEAL

NOW COMES, the Defendant Peter V. Maggio, and respectfully moves this Honorable Court for order permitting him (Peter V. Maggio) to submit to the Court under seal, his letter and his version of the offense both dated October 5, 2006.

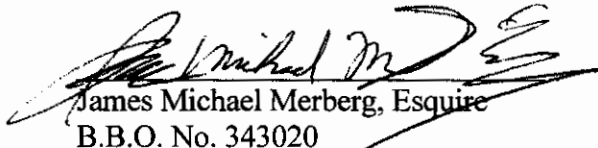
In support thereof counsel respectfully represents that the information contained in the two aforementioned writings, contains personal and medical information, as well as other information which should not be made part of the public record.

Counsel has submitted copies of the two writings to the Office of the United States and the U.S. Department of Probation.

In anticipation of a ruling on the instant motion, undersigned counsel has hand filed this pleading with the Clerk of the U.S. District Court, and attached to the motion in a sealed envelope are the two previously referred letters, which counsel has requested the Court accept under seal.

WHEREFORE, the Defendant Peter V. Maggio through undersigned counsel respectfully moves this Honorable Court for an order permitting him to file his October 5, 2005 letter to the Court and his version of the offense, under seal.

Respectfully submitted,
Peter V. Maggio
By his attorney,


James Michael Merberg, Esquire
B.B.O. No. 343020
66 Long Wharf
Boston, Massachusetts 02110
Tel. (617) 723-1990

CERTIFICATE OF SERVICE

I, James Michael Merberg certify that I have this 6th day of October 2006 served a copy of the Defendant's Motion to File His Version of the Offense and Letter to the Court Under Seal, by delivering same by hand to Victor Wild, Esquire, Assistant United States Attorney Office of the United States Attorney, U.S. Courthouse, Suite 9200 1 Courthouse Way, Boston, MA 02210, and by facsimile at (978) 689-9067 and U.S. Mail to Sean P. Buckley, United States Probation Officer, 499 Essex Street, Lawrence, MA 01840

Dated: October 6, 2006


James Michael Merberg